

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GEORGE M. GUTIERREZ,

Plaintiff,

v.

CIRCLE K CORP, *et al.*,

Defendants.

Case No. 2:15-cv-01557-APG-PAL

**ORDER ACCEPTING REPORT AND
RECOMMENDATION AND
DISMISSING CASE**

(ECF No. 14)

On August 1, 2016, Magistrate Judge Leen entered a report and recommendation in which she recommends I dismiss plaintiff George Gutierrez's complaint because this court lacks subject matter and personal jurisdiction, and because Gutierrez's claims would be barred by the statute of limitations. ECF No. 14. Gutierrez did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I nevertheless conducted a de novo review. 28 U.S.C. § 636(b)(1). Judge Leen sets forth the proper legal analysis and factual basis for the decision.

IT IS THEREFORE ORDERED that Judge Leen's report and recommendation (ECF No. 14) is accepted. This action is DISMISSED.

DATED this 26th day of August, 2016.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE